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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

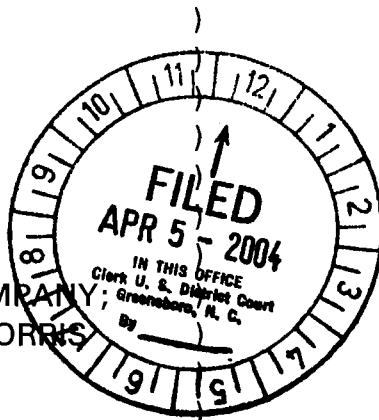
HAYWOOD M. CLAYTON and
SYLVIA K. CLAYTON,

Plaintiffs,

v.

AMERIQUEST MORTGAGE COMPANY
LAWRENCE S. MARTIN; and MORRIS
SCHNEIDER & PRIOR, LLC,

Defendants.



1:02CV415

ORDER

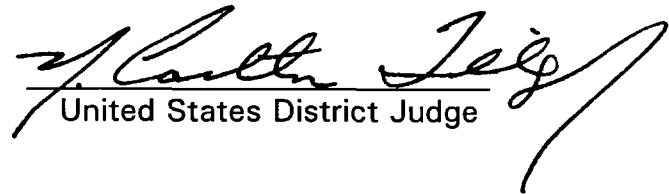
For the reasons stated in a contemporaneously filed Memorandum Opinion, Defendant Amerquest Mortgage Company's Motion to Enforce the Settlement Agreement [Doc. #141] is GRANTED. Specifically, IT IS ORDERED that the parties take the following actions, both in this Court and others, to effectuate the terms of the September 23, 2003 agreement:

- (1) withdraw any and all motions for sanctions;
- (2) withdraw any and all motions for attorneys' fees;
- (3) withdraw any and all motions to vacate or amend orders;
- (4) file voluntary dismissals of any and all appeals filed in this dispute;
- (5) file notices of satisfaction of judgment as to any outstanding judgments;
- (6) file notices of waiver of any attorneys' fees that have already been awarded; and
- (7) file voluntary dismissals with prejudice as to all claims.

Further, IT IS ORDERED that Plaintiffs execute a warranty deed to Amerquest, in accordance with the representations made as part of the settlement agreement.

This Court's decision to grant the Motion to Enforce the Settlement Agreement renders the following pending motions MOOT: (1) Ameritrust's Motion for Summary Judgment [Doc. #85]; (2) Plaintiffs' Motion for Joinder of Claims and Remedies [Doc. #112]; and (3) Plaintiffs' Motion to Transfer Pendant State Claims to State Court [Doc. #139].

This 5th day of April, 2004


United States District Judge